

REMARKS/ARGUMENTS

In the Office Action mailed April 30, 2009, claims 1-17 were rejected. In response, Applicant hereby requests reconsideration of the application in view of the amendments and the below-provided remarks. No claims are canceled.

For reference, claims 1, 7, 8, 10, and 16 are amended. In particular, claim 1 is amended to clarify the language of the claim and to recite generation of a first master key information item and an associated second master key information item in addition to the first key information item and the associated second key information item. Claim 10 is amended to recite similar limitations related to the first master key information item. Claim 16 is amended to recite similar limitations related to the second master key information item. These amendments are supported, for example, by the subject matter described in the specification at page 10, line 30, through page 11, line 15, of the present application.

Also, claims 18-20 are added to recite limitations related to modifying access rights to at least one interface of the data carrier, with specific reference in claim 19 to the interfaces for contactless and contact communication. These amendments are supported, for example, by the subject matter described in the specification at page 10, line 30, through page 11, line 15, of the present application.

Claim Rejections under 35 U.S.C. 102 and 103

Claims 10, 11, and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by Richards et al. (U.S. Pat. No. 6,230,267, hereinafter Richards). Additionally, claims 1-9 were rejected under 35 U.S.C. 103(a) as being unpatentable over Richards in view of Everett et al. (U.S. Pat. Pub. No. 2002/0050528, hereinafter Everett). Additionally, claims 12-15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Richards in view of Everett. Additionally, claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Richards in view of Ishiguro et al. (U.S. Pat. No. 5,502,765, hereinafter Ishiguro). However, Applicant respectfully submits that these claims are patentable over Richards, Everett, and Ishiguro for the reasons provided below.

Independent Claim 1

Claim 1 is patentable over the combination of Everett and Richards because the combination of cited references does not teach all of the limitations of the claim. Claim 1 recites:

A granting method to grant a modification device a modification right to modify an application in a data carrier, the method comprising:

generation of a first key information item and of an associated second key information item for a data carrier identified by a data carrier identification information item;

generation of a first master key information item and an associated second master key information item in addition to the first key information item and the associated second key information item;

checking of the association of the first key information item stored in the data carrier with the second key information item from the modification device; and

allowing of the modification of the application in the data carrier by the modification device in response to a determination that the first key information item is associated with the second key information item.

(Emphasis added.)

In contrast, the combination of Everett and Richards does not teach all of the limitations of the claim because the combination of cited references does not teach first and second master key information items in addition to the first and second key information items.

For reference, the Office Action relies on Richards (in the previous rejection of claim 7) as purportedly teaching generation of first and second master key information items. Office Action, 4/30/09, page 6. The Office Action does not rely on Everett as teaching the indicated limitations. However, despite the reliance on the teachings of Richards, Richards does not teach generating first and second master key information items in addition to the first and second key information items.

Richards merely describes a conventional asymmetric encryption technique which uses a key set with a public key and a secret key. Richards, col. 7, line 62, through col. 8, line 5. It appears that the Office Action relies on the public and secret keys of Richards as teaching the first and second key information items recited in the claims of the present application. Even if the public and secret keys of Richards were to teach first and second

key information items, as recited in the claim, Richards nevertheless does not teach any other keys. Hence, Richards does not teach first and second master key information items because Richards does not teach any keys other than the public and secret keys used in the asymmetric encryption technique.

For the reasons presented above, the combination of Everett and Richards does not teach all of the limitations of the claim because the combination of cited references does not teach first and second master key information items, as recited in the claim. Accordingly, Applicant respectfully asserts claim 1 is patentable over the combination of Everett and Richards because the combination of cited references does not teach all of the limitations of the claim.

Independent Claims 10 and 16

Applicant respectfully asserts independent claims 10 and 16 are patentable over the cited references at least for similar reasons to those stated above in regard to the rejection of independent claim 1. Each of the claims recites subject matter which is similar to at least some of the subject matter of claim 1 discussed above. Although the language of these claims differs from the language of claim 1, and the scope of these claims should be interpreted independently of other claims, Applicant respectfully asserts that the remarks provided above in regard to the rejection of claim 1 also apply to the rejection of these claims.

Dependent Claims

Claims 2-9, 11-15, and 17-20 depend from and incorporate all of the limitations of the corresponding independent claims 1, 10, and 16. Applicant respectfully asserts claims 2-9, 11-15, and 17-20 are allowable based on allowable base claims. Additionally, each of claims 2-9, 11-15, and 17-20 may be allowable for further reasons.

CONCLUSION

Applicant respectfully requests reconsideration of the claims in view of the amendments and the remarks made herein. A notice of allowance is earnestly solicited.

At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **50-4019** pursuant to 37 C.F.R. 1.25. Additionally, please charge any fees to Deposit Account **50-4019** under 37 C.F.R. 1.16, 1.17, 1.19, 1.20 and 1.21.

Respectfully submitted,

/mark a. wilson/

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Mark A. Wilson
Reg. No. 43,994

Wilson & Ham
PMB: 348
2530 Berryessa Road
San Jose, CA 95132
Phone: (925) 249-1300
Fax: (925) 249-0111